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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D. C. 20554

In the matter of )  
Amendment of Section 73.202 (b), ) MM Docket No. \_\_\_\_\_  
Table of Allotments )  
FM Broadcast Stations ) RM- \_\_\_\_\_  
(Celoron, New York) )

**PETITION FOR RULEMAKING**

To the Chief, Allocations Branch:

Dana J. Puopolo ("Petitioner") respectfully requests the Commission initiate a rulemaking proceeding for the purpose of considering amending Section 73.202(b) of the Commission's rules. In support whereof the following is stated:

2. Petitioner proposes the Commission allot FM channel 237A to Celoron, New York as its first commercial FM service. This would require amending Section 73.202(b) of the Commission's rules as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Celoron, NY	-	237A

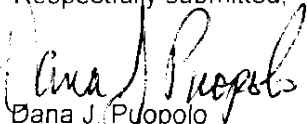
3. Celoron is a village located in N.W. New York. It is located within the town of Ellicott in Chautauqua County. In 2000, the United States Census Bureau estimated that Celoron had a population of 1295 persons. Celoron has an elected Mayor and Village Trustees, a Village Clerk, Fire Department, and Elementary School. It has it's own Zip code (14720), Post Office, telephone exchanges (487 and 664), a Methodist church, several restaurants, and its own downtown business center.

4. FM channel 237A can be assigned to Celoron in full compliance with the Commission's minimum distance separation requirements without a site restriction. This is illustrated in the attached spacing study. Coordinates used are N 42:06:24, W 79:16:53 and are those listed in the National Atlas for Celoron, NY.

5. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate channel 237A if it is assigned to Celoron as proposed. If his application is granted, he shall promptly construct and operate the proposed station.

6. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted,

  
Dana J. Puopolo  
2134 Oak St., Unit C  
Santa Monica, CA 90405  
April 28, 2003

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Listed in Docket MB  
03-79

Spacing study FM channel 237A, Celoron, NY

CHAN	FREQ	CALL	LOCATION		DIST	REQ	CLEAR
234B	94.7	CIWV-FM	BURLINGTON	ON CA	128	66	62
234A	94.7	WFGO	ERIE	PA US	65	31	34
234B	94.7	APP	BURLINGTON	ON CA	128	66	62
235A	94.9	WHKS	PORT ALLEGHANY	PA US	81	31	50
236B	95.1	WICT	GROVE CITY	PA US	131	113	18
236B	95.1	WNVE	HONEOYE FALLS	NY US	184	113	71
237C1	95.3	CKDSFM	HAMILTON	ON CA	129	101	28
237A	95.3	WZWW	BELLEfonte	PA US	179	115	64
238B	95.5	WKYE	JOHNSTOWN	PA US	194	113	81
238B	95.5	WFHM-FM	CLEVELAND	OH US	198	113	85
239B	95.7	WPIG	OLEAN	NY US	70	69	1
240A	95.9	ALLOC	SYKESVILLE	PA US	123	31	92
240C1	95.9	CFPL-FM	LONDON	ON CA	188	87	101
290A	105.9	ALLOC	LITTLE VALLEY	NY US	42	5	37

Notes:

All distances are in kilometers.

Only stations which clear by less than 110 km are shown.

